

Appln No. 10/510,174
Amdt date December 14, 2006
Reply to Office action of September 14, 2006

Amendments to the Drawings:

In the Drawings, enclosed please find a Replacement Sheet 1 of 2.

Attachment: Replacement Sheet

Appln No. 10/510,174
Amdt date December 14, 2006
Reply to Office action of September 14, 2006

REMARKS/ARGUMENTS

The above amendments and these remarks are responsive to the Office action mailed on September 14, 2006. Claims 1, 2, 5, 7, 10, 12 and 14 have been amended. Specifically, claims 2, 5, 7 and 10 have been amended for clarity. Claims 3, 4, 8, 9, 13 and 15 have been cancelled. Claims 1, 2, 5-7, 10-12 and 14 are now pending in this application. Reconsideration on the basis of the above amendments and remarks below is kindly requested.

A true and accurate copy of the verified translation of the priority PCT Application PCT/DE03/01115 is being submitted herewith.

The Examiner objected to the Abstract. The Abstract has been amended accordingly to address the Examiner's objection.

The Examiner objected to the Drawings as not showing a computer, as required by claim 1, a control electronics required by claim 6, a CAN bus system as required by claim 7 and a computer and a picture recording as required by claim 15. Claim 15 has been cancelled. A Replacement Sheet 1 of 2 is enclosed herein incorporating Figure 1A which has been revised to show computer 3, control electronics 4 and a CAN bus system 5.

The Examiner rejected claims 1-6, 10, 11 and 15 under 35 U.S.C. §102(b) as being anticipated by MacRae et al., U.S. Patent No. 4,483,599. Claim 1 as now amended requires that a signaling device comprises "a plurality of optical signaling elements for generating the optical synchronization signal, the optical signaling elements being arranged in a shape of a matrix and comprising light-emitting diodes that are configured to provide controllable additive color mixing of a light generated by the optical signaling elements to generate the optical synchronization signal." MacRae et al. disclose an apparatus for producing simultaneous visual and audio signals for synchronizing separate simultaneously produced visual and sound recordings for the recording of cinematographic movies. MacRae et al. appears to provide an apparatus that according to the sole figure of MacRae et al., includes a liquid crystal display 4. The liquid crystal display 4, according to column 2, lines 34-54 of MacRae et al. displays an entered sequence of numerals that can be recorded on a movie film and also serves together with

Appln No. 10/510,174
Amdt date December 14, 2006
Reply to Office action of September 14, 2006

other visual or audible indicators to synchronize different types of recordings. However, MacRae et al. do not appear to disclose, teach or suggest that a signaling device comprises "light-emitting diodes" that are configured to provide "controllable additive color mixing" as required by claim 1. Consequently, MacRae et al. cannot anticipate claim 1 as now pending in this application.

Claims 2, 5, 6, 10 and 11 are all directly or indirectly dependent from claim 1. Claim 1 is now believed to be in condition for allowance over MacRae et al. As such, Applicant submits that claims 2, 5, 6, 10 and 11 are also allowable over MacRae et al. as being dependent from a claim allowable over MacRae et al. and for the additional limitations they contain therein.

The Examiner rejected claim 7 under 35 U.S.C. §103(a) as being unpatentable over MacRae et al. in view of the admitted prior art. Claim 7 is dependent from claim 1. As discussed, MacRae et al. does not disclose, teach or suggest a signaling device that comprises "light-emitting diodes" that are configured to provide "controllable additive color mixing". Furthermore, the alleged admitted prior art also does not disclose this feature. As such, the combination of MacRae et al. with the admitted prior art cannot render claim 1 obvious. Consequently, the combination of MacRae et al. and the admitted prior art does not render claim 7 obvious as being dependent from a claim not rendered obvious by these references and for the additional limitations that claim 7 contains therein.

The Examiner rejected claims 8, 9 and 12-14 under 35 U.S.C. §103(a) as being unpatentable over MacRae et al. in view of Kanazawa et al., U.S. Patent No. 7,042,537. Claims 8, 9 and 13 have been cancelled. Claims 12 and 14 have been rewritten in independent form including the limitations of claim 1 which have been amended for clarity. Consequently, Applicant assumes that the rejections to claims 12 and 14 apply to the now amended claims 12 and 14.

Applicant also submits that Kanazawa et al. is not prior art to the above-referenced application. Kanazawa et al. has a priority date of October 28, 2002 which is after the priority date of April 5, 2002 of the above-referenced application. Kanazawa et al., claims priority over a Japanese application. Unless the Japanese priority application was published in English,

Appln No. 10/510,174

Amdt date December 14, 2006

Reply to Office action of September 14, 2006

Kanazawa et al. is not even entitled to the October 28, 2002 priority date based on the filing of such Japanese application. The above-referenced application is a national phase application of International PCT application PCT/DE03/01115 which was filed on March 28, 2003, a copy of which is submitted herewith, and which claims priority on a German application filed on April 5, 2002. As can be seen, the priority PCT application pre-dates the filing date of Kanazawa et al., which is October 7, 2003. Consequently, the rejections to claims 12 and 14 of MacRae et al. in view of Kanazawa et al. should be withdrawn.

The rejections and objections to all claims pending in this application are believed to have been overcome and this application is now believed to be in condition for allowance. Should the Examiner have any remaining questions or concerns about the allowability of this application, the Examiner is kindly requested to call the undersigned attorney to discuss them.

Respectfully submitted,
CHRISTIE PARKER & HALE, LLP

By 

Constantine Marantidis
Reg. No. 39,759
626/795-9900

CM/scc

SCC PAS714933.1-*~12/14/06 9:34 AM



Fig. 1a

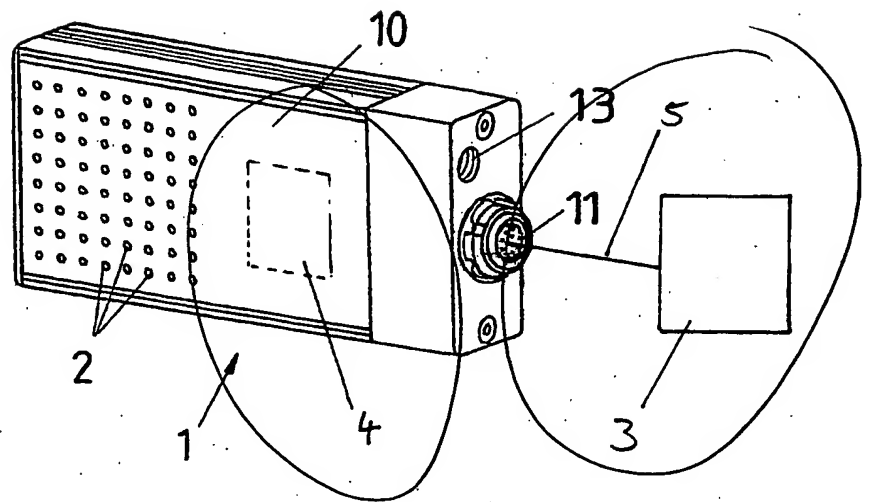


Fig. 1b

